

DEPOSIT IN COURT

67.01: *Deposit of Registry Funds in Interest-Bearing Accounts (Fed. R. Civ. P. 67).*

(A) *Receipt of Funds.*

- (1) No money shall be sent to the Court or its officers for deposit into the Court's registry without a Court order by the presiding judge in the case or proceeding.
- (2) All money ordered to be paid into the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositaries designated by the Treasury to accept such deposit on its behalf.
- (3) The party making the deposit or transferring funds to the Court's Registry shall serve the order permitting the deposit or transfer on the Clerk of Court.

(B) *Investment of Registry Funds.*

- (1) Funds on deposit with the Court are to be placed in interest-bearing instruments in the Court Registry Investment System (CRIS) administered through the United States District Court for the Southern District of Texas, which shall be the only investment mechanism authorized.
- (2) Under CRIS, monies deposited in each case under Local Civil Rule 67.01(A) will be "pooled" together with those on deposit with the Treasury to the credit of other courts in the CRIS and used to purchase Treasury Securities, which will be held at the Federal Reserve Bank, Dallas/Houston Branch, in a safekeeping account in the name and to the credit of the Clerk, United States Court for the Southern District of Texas, hereby designated custodian for the Court Registry Investment System.

- (3) An account for each case will be established in the CRIS titled in the name of the case giving rise to the investment in the System. Income received from fund investments will be distributed to each case based on the ratio each account's principal and income has to the aggregate principal and income total in the Fund each week. Weekly reports showing the income earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in CRIS and made available to litigants and/or their counsel.

(C) *Registry Investment Fee.*

- (1) The custodian is authorized and directed by this Local Civil Rule to deduct, for maintaining accounts in the Fund, the registry fee. The proper registry fee is to be determined on the basis of the rates published by the Director of the Administrative Office as approved by the Judicial Conference.
- (2) If registry fees were assessed against the case under the old 45-day requirement prior to the deposit into CRIS, no additional registry fee will be assessed.